

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO**

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MELODY JOY CANTU AND DR. RODRIGO  
CANTU,

5:20-CV-0746 JKP – HJB

Plaintiffs,

v.

DR. SANDRA GUERRA AND DIGITAL  
FORENSICS CORPORATION, LLC,

Defendants.

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**NOTICE OF INTENT TO TAKE ORAL AND VIDEOTAPED DEPOSITION OF  
DIGITAL FORENSICS CORPORATION, LLC.**

TO: **Digital Forensics Corporation, LLC.**, by and through her counsel of record J. David Apple, Email: jdapple@applefinklaw.com; Apple & Fink, LLP, 735 Plaza Blvd., Suite 200, Coppell, Texas 75019.

Please take notice that pursuant to Federal Rule of Civil Procedure 30 and the Scheduling Order Dkt. 89, regarding the discovery period, Plaintiffs Melody Joy Cantu and Dr. Rodrigo Cantu, intent to take the oral and/or videotaped deposition of Defendant, **DIGITAL FORENSICS CORPORATION (“DFC”)**, before a notary public or some other officer authorized by law to administer oaths, at **1:30 p.m. on Tuesday, July 19, 2022**, by remote means via a videoconferencing platform.

Pursuant to Federal Rule of Civil Procedure 30(b)(6):

Plaintiffs request TESTIMONY from the person or persons with your company most knowledgeable with respect to the following categories:

- 1) DFC’s investigation of Plaintiffs.
- 2) DFC’s business interactions with Co-Defendant Dr. Guerra.
- 3) The forensic techniques, software, and procedures used by DFC to investigate Plaintiffs on behalf of Dr. Guerra.
- 4) All records, logs (including evidence, computer and others of any type), calendars, meetings, discussions, communications, correspondence, and any other information related to this matter, and how its stored.
- 5) The names or how to find the names of everyone who worked on this matter on behalf of DFC, whether as an employee, independent contractor, agent, or otherwise.

**NOTICE OF INTENT TO TAKE THE ORAL AND VIDEOTAPED DEPOSITION OF DIGITAL FORENSICS CORPORATION, LLC.**

- 6) Knowledge of the phishing of the Plaintiffs via text and records and information related to it.
- 7) Knowledge of the software, systems, and procedures used to surveil Plaintiffs' cell phone(s).
- 8) All policies, systems, and procedures related to forensic investigation used in this case.
- 9) Billing records for payments made in relation to this matter.
- 10) DFC's entities, how said entities are structured, and information on who owns the entities.
- 11) Knowledge of how the Phase 1, 2 and any additional reports are compiled by DFC or on their behalf.
- 12) Types of surveillance and malware software DFC used in this matter.
- 13) What work was done here, what was done with: files, logs, images, including Dr. Guerra's electronics, and where contracts and communications with Dr. Guerra are stored.
- 14) Names of any and all forensic software used in this investigation by DFC.
- 15) Records of all payments made to and from DFC relating to this matter.
- 16) The steps DFC took to preserve Electronically Stored Evidence in this case when they became aware of this matter.
- 17) The scope of discovery review conducted in response to Plaintiffs' discovery requests, and who was involved in DFC's response to Plaintiffs' requests.

18) DFC's retention policies in relation to Electronically Stored Information, documents, and information of any type.

The deposition, when taken, may continue from day to day until completed, and will be taken by stenographic means and videoconferencing examination with the answers to be used in the final trial of the above-styled and numbered cause. You are invited to have counsel present for purposes of cross-examination.

Dated: July 14, 2022

Stipulated and respectfully submitted,

/s/ Tor Ekeland

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/s/ Rain Levy Minns

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*Counsel for Plaintiffs Melody Joy Cantu  
and Dr. Rodrigo Cantu*

**Certificate of Service**

I certify that on this 14<sup>th</sup> of July 2022, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the parties on record.

/s/ Tor Ekeland